



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: Legacy Group Short Plat

Proposal Address: 4727 164th Avenue SE

Proposal Description: Land Use Review of a Preliminary Short Plat application to subdivide a 17,795 square foot lot into two new single family lots.

File Number: 22-105220-LN

Applicant: Mark Schwarz

Decisions Included: Preliminary Short Plat (Process II)

Planner: Drew Folsom, Senior Planner

SEPA Determination: **Exempt**

Department Decision: **Approval with Conditions**

Drew Folsom, Land Use Planner

Drew Folsom, Senior Planner
Development Services Department

Application Date: April 8, 2022
Notice of Application: June 2, 2022
Decision Publication Date: June 22, 2022
Appeal Deadline: July 6, 2022

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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Attachments

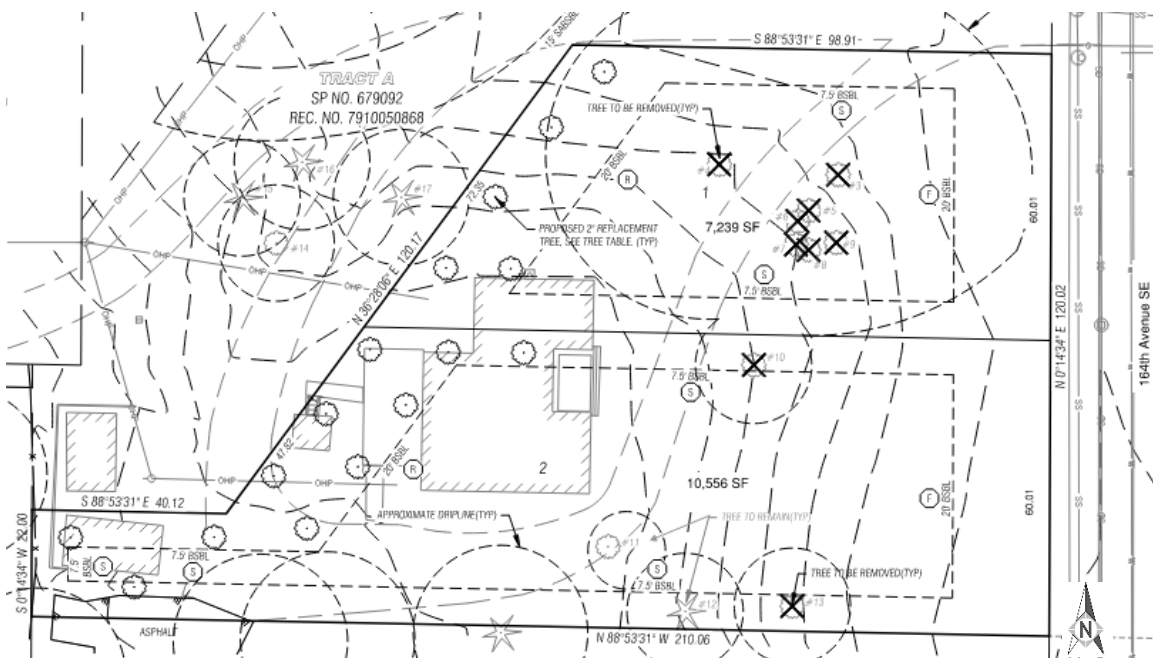
1. Project Site Plan – Enclosed
2. Survey, Arborist Report, Road Plan, Preliminary Grading Plan – In File
3. Application forms, correspondence – In File

I. PROPOSAL DESCRIPTION

The applicant is proposing to subdivide an existing 17,595-square-foot site to create two new lots through a Short Subdivision. The site is zoned R-5. The lots proposed are 7,239 and 10,556 square feet. The project will provide a 6-foot sidewalk and landscape strip along the property frontage. Future single family development will gain access via separate private driveways off 164th Avenue SE. All existing structures are proposed to be demolished.

See Figure 1 below for a plan of the proposed short plat (also included as Attachment 1).

Figure 1



II. SITE DESCRIPTION, ZONING, AND LAND USE CONTEXT

A. SITE DESCRIPTION

The project site is located within the Newcastle Bellevue Subarea. The site is currently accessed from a private road, SE 47th Place, which is along the north property line. Existing structures on the site are a single-family residence and two detached sheds. Existing vegetation on the property includes several significant trees that include Siberian Elm, Plum, and Ponderosa Pine with an understory of grass and native and ornamental vegetation. Single-family properties zoned R-5 are located to the east, west, and south of the site. A tract with an access driveway is located north of the site. The site contains no Critical Areas as defined under LUC 20.25H. See Figure 2 below for an aerial photo of the property as it currently exists.

Figure 2



B. ZONING

The property and surrounding properties are zoned R-5, single-family residential. See Figure 3 below for zoning.

Figure 3



C. LAND USE CONTEXT

The property has a Comprehensive Plan Land Use Designation of SF-H (Single Family High Density). The proposed short plat is consistent with the single-family comprehensive plan land use designation. The surrounding neighborhood context is entirely single-family uses both adjacent to the site and in the vicinity.

III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS:

A. ZONING DISTRICT DIMENSIONAL REQUIREMENTS:

The site is located in the R-5 zoning district. The proposed short plat is in conformance with the general dimensional requirements of the zone or as amended by LUC 20.45B and LUC 20.20.010.

Table 1 – Dimensional Requirements

<u>BASIC INFORMATION</u>		
Zoning District	R-5 Newcastle Subarea Comprehensive Plan Designation: Single-Family High	
Gross Site Area	17,795 square feet	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	7,200 Square Feet	Lot 1: 7,239 Square Feet Lot 2: 10,556 Square Feet
Minimum Lot Width	60 Feet	Lot 1: 60.01 Feet Lot 2: 60.01 Feet
Minimum Lot Depth	80 Feet	Lot 1: 142 Feet Lot 2: 210 Feet
Building Setbacks Front Yard Rear Yard Min. Side Yard 2 Side Yards	20 Feet 20 Feet 5 Feet 15 Feet	Proposed lots comply with these setbacks
Access Easement Setbacks	10 Feet from easement	10 Feet (minimum)
Tree Retention	30% of 200 diameter inches = 60 minimum diameter inches	14%, 28 diameter inches

Finding: The subject property contains 200 diameter inches of significant trees. The applicant proposes to preserve 28 diameter inches of existing trees and proposes to use replacement for the remaining 32 inches of required trees by planting 16 2-inch native trees as allowed per LUC 20.20.900.G.

The alternative tree retention or replacement option is appropriate for the site because the existing trees are in locations that would be impacted by any proposed location of future houses and would likely become hazardous as documented in the arborist report prepared by Layton Tree Consulting, LLC dated October 28, 2021, and amended September 8, 2022. The replacement trees will be located along the western

perimeters of the proposed lots in an area that will not be impacted by future development. **See tree planting and retention related conditions of approval in Section X of this report**

IV. PUBLIC NOTICE AND COMMENT

Application Date:	April 8, 2022
Public Notice (500 feet):	June 2, 2022
Minimum Comment Period:	June 15, 2022

The project was publicly noticed in the City's Weekly Permit Bulletin and Seattle Times on March 11, 2020, with notice mailed to property owners within 500 feet of the project site. A public information sign was also installed on the site. The City received written public comment requesting information regarding the driveway impacts to traffic along 164th Avenue NE and noise. The comments are addressed below.

1. Comment regarding traffic impacts.

Staff Response: As discussed in Section V below, the Transportation reviewer assessed the traffic impacts associated with the proposal and determined they will be minimal since only one additional single family lot is proposed.

2. Comment expressing concern regarding noise.

Staff Response: Construction noise is expected, during the construction period; however, the impacts will be similar to single family home construction and mitigated by the Bellevue Noise Control Ordinance (BCC 9.18) which regulates hours of construction-related noise emanating from project sites.

V. SUMMARY OF TECHNICAL REVIEWS

A. CLEARING AND GRADING:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development and found no issues. The Clearing and Grading staff has approved the application. A Clearing and Grading permit (type GE) will be required to construct plat infrastructure prior to final plat approval.

B. FIRE DEPARTMENT:

The preliminary short plat application has been reviewed and no further fire revisions are needed at this time.

C. TRANSPORTATION DEPARTMENT:

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation

Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit.

Prior to final short plat approval, the developer must complete all transportation improvements at the developer's expense (BCC 14.60.110); or provided that all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance.

Site Access

The proposed two lot short plat is comprised of an existing lot and tract on the west side of 164th Avenue SE, near SE 47th Place which has one existing single-family home taking access from 164th Avenue SE via a single-family driveway. 164th Avenue SE is a two-lane road classified as a minor arterial. Access for the short plat will be via two new single-family driveways off of 164th Avenue SE. No other access connection to City right-of-way is authorized. The single-family driveways must be a minimum of 10 feet wide and be built per the Transportation Design Manual Standard Drawings.

Street names and site addresses will be determined by the City's Parcel and Address Coordinator.

Street Frontage Improvements

The Legacy Group short plat is located on the west side of 164th Avenue SE, near SE 47th Place. There is currently a 6-foot-wide sidewalk with curb and gutter along the 164th Avenue SE frontage. The lot currently has a 12-foot-wide single-family driveway off of 164th Avenue SE through the adjacent tract parcel. The lot is bordered by single family lots to the north, west, and south. The new single-family driveway approaches will be required to be built per Bellevue Standards.

Frontage improvements will be required by the developer, and shall include:

164th Avenue SE:

- Install two new minimum 10-foot-wide single-family driveway approach per Bellevue standards.
- Reconstruct the existing driveway approach to the access tract.
- Install minimum 6-foot-wide sidewalk and 5-foot-wide planter strip with new

- curb and gutter along the frontage.
- Reconstruct the ADA ramp at the street crossing.
- Sight distance requirements must be met per BCC 14.60.240 at the new driveways.
- Street lighting requirements must be met per Bellevue standards.
- Any overhead utilities into the plat are required to be undergrounded.

The design of the improvements and the final engineering plans showing those improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the Transportation Department Design Manual prior to approval of the plat infrastructure (GE) permit.

Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the time since it was last resurfaced. These three categories are No Street Cuts Permitted, Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it.

Near the development site, 164th Avenue SE is classified as "Grind & Overlay Required. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a grind and overlay will be required for a minimum of 50 feet per standard drawing RC-200-1.

Sight Distance

The access design shall meet the sight distance requirements of BCC 14.60.240. Vegetation shall be trimmed as needed within the sight triangle.

Transportation Impacts and Mitigation

City staff has analyzed the potential short-term operational impacts of this proposal in

order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Due to the minimal number of new p.m. peak hour trips to be generated by the Legacy Plat Short Plat, traffic impacts from this development will be minor in nature. Therefore, no additional mitigation is required other than payment of the transportation impact fee and the project site improvements.

See Transportation Department related conditions of approval in Section X of this report

D. UTILITIES DEPARTMENT

The preliminary short plat application has been reviewed and no further utility revisions are needed at this time. The Utility Department approval of the preliminary short plat application is based on the conceptual utility design only. This conceptual review of the proposal has no implied approvals of the engineering design and specifications. Changes to the site layout may be required to accommodate the utilities.

Storm Drainage

The project will be required to mitigate for minimum requirements 1-9 from the Department of Ecology. Ultimately a connection to the public storm system in 164th Ave SE is proposed.

Water

The water supply for this project will connect to City of Bellevue owned water main located on 164th Ave SE. Individual service lines will provide meters to the edge of ROW.

Sewer

Sewer service will be provided by two 6" side sewers from the main on 164th Ave SE.

See Utilities Department conditions of approval in Section X of this report

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

This project is exempt from SEPA review as it does not exceed the exempt levels for new construction stated in WAC 197-11-800 or as amended by the City of Bellevue Environmental Procedures Code BCC 22.02.

VII. CHANGES TO PROPOSAL AS A RESULT OF CITY REVIEW

The original design was revised to include a new 6-foot-wide sidewalk and planter strip constructed along the frontage of the property. **See Transportation conditions of approval in Section X of this report.**

VIII. DECISION CRITERIA:

A. LAND USE CODE 20.45B.130 DECISION CRITERIA FOR A PRELIMINARY SHORT PLAT:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

- 1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

Finding: City codes ensure public health, safety and general welfare through development code requirements. Existing public systems and facilities have been deemed adequate to serve the proposed development with the required street frontage improvements. The proposal will construct a new sidewalk and planter strip along 164th Avenue SE. In addition, construction noise is expected during the construction period; however, the Bellevue Noise Control Ordinance (BCC 9.18) regulates hours of construction-related noise emanating from project sites. **See related Transportation conditions of approval in Section X of this report.**

- 2. The public interest is served by the short subdivision.**

Finding: The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan which designates the site as Single-Family High Density. The proposed short plat allows the property to achieve the planned density while ensuring compliance with City codes and standards.

- 3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.**

Finding: The preliminary short plat considers the physical characteristics of the site by adequately responding to the existing topography, which slopes moderately downward from east to west.

- 4. The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.**

Land Use Code Requirements

A. Dimensional Requirements: *Refer to Section III.A. of this report for*

conformance with dimensional requirements for the R-5 zoning district.

Finding: All of the lots shown can be developed in accordance with the City of Bellevue Land Use Code requirements, including the R-5 zoning district dimensional requirements.

- B. Significant Tree Preservation:** *Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 30% of significant trees on the site. In order to meet the 30% minimum retention requirement, the project must retain a minimum of 60 diameter inches of the existing significant trees.*

Finding: The applicant proposes to preserve 28 diameter inches of existing trees and proposes to use replacement for the remaining 32 inches of required trees by planting 16 2-inch native trees as allowed per LUC 20.20.900.G.

The alternative tree retention or replacement option is appropriate for the site because the existing trees are in locations that would be impacted by any proposed location of future houses and would be likely to become hazardous as documented in the arborist report prepared by Layton Tree Consulting, LLC dated October 28, 2021 and amended September 8, 2022. The replacement trees will be located along the western perimeters of the proposed lots in areas that will not be impacted by future development.

See tree planting and retention related conditions of approval in Section X of this report.

5. The proposal is in accord with the Comprehensive Plan (BCC Title 21).

Response: The site is located within the Newcastle subarea. The Comprehensive Plan specifies Single-Family High Density development for this property, which is consistent with the R-5 zoning designation. The proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea, including the following:

Land Use Policy LU-5: *Accommodate adopted growth targets of 17,000 additional housing units and 53,000 additional jobs for the 2006-2031 period and plan for the additional growth anticipated by 2035.*

Finding: This short plat will allow a total of one new single family residential unit which will help to meet Bellevue's share of the regionally adopted demand forecasts for residential uses.

Land Use Policy LU-6: *Encourage new residential development to*

achieve a substantial portion of the maximum density allowed on the net buildable acreage.

Finding: This short plat will create one new lot which will contribute to achieving the maximum density allowed on the net buildable acreage.

6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.

Finding: As conditioned, each lot can reasonably be developed to current R-5 zoning standards without requiring a variance. There are no site constraints or critical areas which inhibit the development of this property that would warrant a variance. **See related conditions of approval in Section X of this report.**

7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.

Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access location, and other required improvements are existing, planned, or conditioned as part of this approval to accommodate the use of these lots. **See related Transportation related conditions of approval in Section X of this report.**

IX. CONCLUSION AND DECISION:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **APPROVE** the Legacy Group Preliminary Short Plat **WITH CONDITIONS**.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and 160

X. CONDITIONS OF APPROVAL:

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Codes and Ordinances</u>	<u>Contact Person</u>	<u>Phone</u>
Clearing and Grading Code – BCC 23.76	Janney Gwo	425-452-6190

Construction Codes – BCC Title 23	Building Division	425-452-4121
Fire Code – BCC 23.11	Scott Gerard	425-452-6042
Land Use Code – BCC 20.25H	Drew Folsom	425-452-4441
Noise Control – BCC 9.18	Drew Folsom	425-452-4441
Trans. Development. Code – BCC 14.60	Ian Nisbet	425-452-4851
Traffic Standards Code – BCC 14.10	Ian Nisbet	425-452-4851
Right-of-Way Use Code – BCC 14.30	Mazen Wallaia	425-452-6988
Utility Code – BCC Title 24	Jeremy Rosenlund	425-452-7683

A. GENERAL CONDITIONS:

1. Variance Restriction

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

AUTHORITY: Land Use Code 20.45B.130

REVIEWER: Drew Folsom, Development Services Department

2. Obtain Permits

Permits are required to construct infrastructure, utilities, buildings and other improvements. No construction may commence until the appropriate permit is issued.

AUTHORITY: Land Use Code 20.45B.130

REVIEWER: Drew Folsom, Development Services Department

3. Noise – Construction Hours

Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

AUTHORITY: Bellevue City Code 9.18

REVIEWER: Drew Folsom, Development Services Department

4. Utilities Department Conceptual Approval

Utility Department approval of the short plat application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site

layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Separate water UC and sewer UA permits will be required with the building permits. Drainage for each lot will be reviewed and approved under the building permit for each lot. All connection charges will be due at time of Utility permit issuance. Utility easements will be required and recorded on the face of the final short plat.

AUTHORITY: Bellevue City Code 24.02, 24.04, 24.06
REVIEWER: Jeremy Rosenlund, Utilities Department

B. CONDITIONS PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. Right of Way Use Permit

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Hours of construction and hauling.
- d. Continuity of pedestrian facilities.
- e. Temporary traffic control and pedestrian detour routing for construction activities.
- f. Street sweeping and maintenance during excavation and construction.
- g. Location of construction fences.
- h. Parking for construction workers.
- i. Construction vehicles, equipment, and materials in the right of way.
- j. All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Mazen Wallaia, (425) 452-6988

2. Off-Street Parking

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading,

building, foundation, or demolition permit.

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Mazen Wallaia, (425) 452-6988

3. Engineering Plans

A street lighting plan, channelization plan, and site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the single-family driveways, the connection to 164th Avenue SE, pavement restoration in 164th Avenue SE, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Specific requirements are detailed below:

Frontage improvements will be required by the developer, and shall include:

164th Avenue SE:

- Install two new minimum 10-foot-wide single-family driveway approach per Bellevue standards.
- Reconstruct the existing driveway approach to the access tract.
- Install minimum 6-foot-wide sidewalk and 5-foot-wide planter strip with new curb and gutter along the frontage.
- Reconstruct the ADA ramp at the street crossing.
- Sight distance requirements must be met per BCC 14.60.240 at the new driveways.
- Street lighting requirements must be met per Bellevue standards.
- Any overhead utilities into the plat are required to be undergrounded.

Miscellaneous:

- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings; Americans with Disabilities Act.

REVIEWER: Ian Nisbet, (425) 452-4851

4. Sight Distance

The proposed driveway access onto 164th Avenue SE shall meet the City of Bellevue's minimum sight distance requirements. If necessary to meet the sight distance requirements of BCC 14.60.240 and standard drawing RL-100-1 and RL-120-1, existing vegetation near the access point on 164th Avenue SE must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

AUTHORITY: Bellevue City Code 14.60.240

REVIEWER: Ian Nisbet, (425) 452-4851

5. Pavement Restoration

The city's pavement manager has determined that this segment of 164th Avenue SE will require standard trench restoration for any utility connections or other digging in the street surface. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings RC-190-1 through RC-220-1. Exact copies of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 23

REVIEWER: Mazen Wallaia, (425) 452-6988

C. PRIOR TO APPROVAL OF FINAL SHORT PLAT:

1. Infrastructure Improvements

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be completed prior to approval of the final short plat. If all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241, 260; Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19

REVIEWER: Ian Nisbet, (425) 452-4851

2. Replacement Trees

Replacement tree planting must occur prior to final short plat approval. Replacement trees and retained trees must be depicted on the final short plat.

AUTHORITY: Land Use Code Section 20.20.900.G, 20.45B.210

REVIEWER: Drew Folsom, Development Services Department

3. Lot Lines

The final short plat shall label the property lines as front, rear, or side.

AUTHORITY: Land Use Code Section 20.20.030

REVIEWER: Drew Folsom, Development Services Department

4. Variance Restriction

The following note shall be added to the final short plat.

VARIANCE RESTRICTION

APPROVAL BY THE CITY OF THIS SHORT PLAT IS A DETERMINATION THAT EACH LOT IN THE SHORT PLAT CAN BE REASONABLY DEVELOPED IN CONFORMANCE WITH THE LAND USE CODE REQUIREMENTS IN EFFECT AT THE TIME OF PRELIMINARY SHORT PLAT APPROVAL WITHOUT REQUIRING A VARIANCE.

AUTHORITY: Land Use Code 20.45B.130.A.6

REVIEWER: Drew Folsom, Development Services Department

CITY OF BELLEVUE SHORT PLAT NO. 22-_____ LF

OWNERS CERTIFICATE & DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SHORT SUBDIVIDED, DECLARE THIS SHORT PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SHORT SUBDIVISION MADE HEREBY AND DEDICATE TO THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE. WE DEDICATE THE USE FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH PUBLIC HIGHWAY PURPOSES AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN IN THE REASONABLE GRADING OF SAID STREETS AND AVENUES. WE FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS SHORT PLAT FOR ALL PUBLIC PURPOSES AS INDICATED, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES, AND DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS SHORT PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DEDICATE SUCH STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, WE WAIVE FOR OURSELVES, OUR HEIRS AND ASSIGNS, AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF BELLEVUE AND ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED TO THE ADJACENT LANDS OF THIS SHORT SUBDIVISION BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SHORT SUBDIVISION.

THIS SHORT SUBDIVISION, DEDICATION, AND WAIVER OF CLAIMS ARE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS:

BY: _____ DATE: _____
RED BUD BUILT, INC., A WASHINGTON CORPORATION

ITS: _____

BY: _____ DATE: _____
LEGACY GROUP CAPITAL LLC

ITS: _____

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
COUNTY OF _____)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF RED BUD BUILT, INC., A WASHINGTON CORPORATION TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED _____

SIGNATURE OF NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____

STATE OF WASHINGTON)
COUNTY OF _____)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF RED BUD BUILT, INC., A WASHINGTON CORPORATION TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED _____

SIGNATURE OF NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____

LEGAL DESCRIPTION

(FROM FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NUMBER 3921358, DATED MARCH 18, 2022)

THE NORTH 264 FEET OF THE EAST 240 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 24 NORTH, RANGE 05 EAST, W.M., IN KING COUNTY, WASHINGTON;

EXCEPT THE NORTH 212 FEET OF THE WEST 10 FEET THEREOF; AND
EXCEPT THE EAST 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER RECORDING NO. 1345646; AND
EXCEPT THAT PORTION OF THE ABOVE DESCRIBED TRACT WHICH LIES NORTHERLY OF THE SOUTH LINE OF THE FOLLOWING DESCRIBED EASEMENT:

A 60 FOOT STRIP OF LAND ON THE NORTH AND NORTHWESTERLY LINE THEREOF, BEING DESCRIBED AS FOLLOWS:
BEGINNING ON THE WEST LINE OF SAID EXCEPTED EAST 30 FEET AT A POINT 84 FEET SOUTH OF THE NORTH LINE OF SAID PREMISES;
THENCE WESTERLY PARALLEL WITH THE NORTH LINE THEREOF 129 FEET;
THENCE SOUTHWESTERLY TO A POINT ON THE WEST LINE OF SAID PREMISES WHICH IS 182 FEET SOUTH OF THE NORTHWEST CORNER OF SAID PREMISES.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

VARIANCE RESTRICTION

APPROVAL BY THE CITY OF THIS SHORT PLAT IS A DETERMINATION THAT EACH LOT IN THE SHORT PLAT CAN BE REASONABLY DEVELOPED IN CONFORMANCE WITH THE LAND USE CODE REQUIREMENTS IN EFFECT AT THE TIME OF PRELIMINARY SHORT PLAT APPROVAL WITHOUT REQUIRING A VARIANCE.

CONTACT INFORMATION

OWNERS:

RED BUD BUILT, INC., A WASHINGTON CORPORATION
JASON WOJTACHA
JASON@RED-BUDPROPERTIES.COM
8218 135TH PL NE, REDMOND, WA 98052
MAIL TO : PO BOX 69, KIRKLAND, WA 98083
206-391-0498

SURVEYOR:

MEAD GILMAN AND ASSOCIATES
SHANE BARNES
PO BOX 289, WOODINVILLE, WA 98072
425-486-1252

PROPERTY INFORMATION

PARCEL NOS. 1424059111 (PARCEL A) AND 1424059132 (PARCEL B)

ZONE: RS

BUILDING SETBACKS:

FRONT - 20'
SIDE - 7.5'
REAR - 5' MIN, 15 COMBINED
GARAGE TO SHARED DRIVEWAY - 20'
GARAGE TO SHARED DRIVEWAY - 40%
MAX IMPERVIOUS SURFACE: - 55%

OVERLAY DISTRICTS:

SCHOOL DISTRICT - ISSAQUAH #411
COMMUNITY PLANNING AREA - NEWCASTLE
WATER SERVICE AND PLANNING AREA: CITY OF BELLEVUE

RESTRICTIONS OF RECORD

(FROM FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NUMBER 3921358, DATED MARCH 18, 2022)

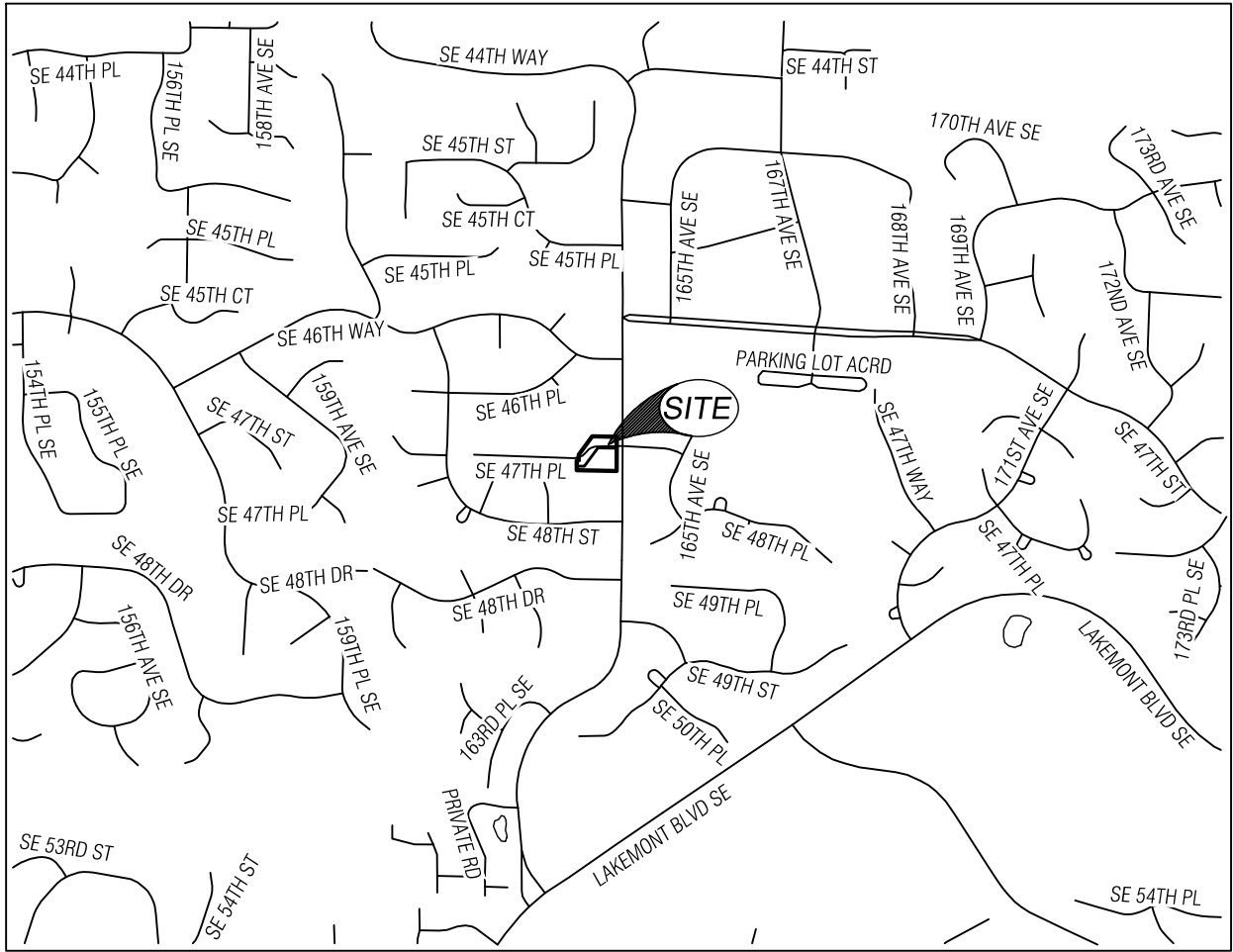
- SUBJECT TO FACILITY CHARGES, IF ANY, INCLUDING BUT NOT LIMITED TO HOOK-UP, OR CONNECTION CHARGES AND LATECOMER CHARGES FOR SEWER, WATER AND PUBLIC FACILITIES OF CITY OF BELLEVUE AS DISCLOSED BY INSTRUMENT RECORDED UNDER REC. NOS. 7711090948, 9612200938, 20111222000589 AND 20170727001075. (NOT A SURVEY MATTER).
- SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "SECOND ADDENDUM TO DEVELOPER EXTENSION AGREEMENT" REC. NO. 9201090456. (NOTHING TO PLOT)
- SUBJECT TO THE MEMORANDUM OF REAL ESTATE PURCHASE AND SALE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF BETWEEN ROSARY L TANNER-PETERSON AND LEGACY CAPITAL GROUP, LLC AS RECORDED UNDER REC. NO. 20210929002202. (NOT A SURVEY MATTER).

EASEMENT PROVISIONS

- AN EASEMENT IS HEREBY RESERVED FOR AND CONVEYED TO FRONTIER COMMUNICATIONS, COMCAST, CENTURY LINK/OWEST, PUGET SOUND ENERGY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS AND TRACTS AS SHOWN HEREON, IN WHICH TO LAY, INSTALL, CONSTRUCT, RENEW, OPERATE, AND MAINTAIN UNDERGROUND CONDUITS, PIPES, MAINS, CABLES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, CABLE T.V., WATER, SEWER, STORM DRAINAGE, AND GAS SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED. THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION BY THE UTILITY.
- A PUBLIC SIDEWALK EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF BELLEVUE, OVER LOTS 1 AND 2 AS SHOWN HEREON, FOR THE PURPOSE OF PUBLIC PEDESTRIAN ACCESS. THE CITY OF BELLEVUE SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF THE SIDEWALK WITHIN SAID EASEMENT.

VICINITY MAP

SCALE: 1" = _____'



LEGEND

○	FOUND CORNER	●	SET 1/2" X 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "MGA 35145 48383".
⊕	FOUND MONUMENT	(COB)	CITY OF BELLEVUE
□	CATCH BASIN - TYPE I	(MEAS)	MEASURED
⊗	CATCH BASIN - TYPE II	R1	REFERENCE NUMBER
▢	COMMUNICATIONS RISER	(F)	FRONT YARD SETBACK
⦿	FIRE HYDRANT	(S)	SIDE YARD SETBACK
⊠	GAS METER	(R)	REAR YARD SETBACK
⊙	SEWER MANHOLE		
○	UTILITY POLE		
⊞	WATER METER		
⊞	WATER VALVE		
★	CONIFEROUS TREE		
★	DECIDUOUS TREE		
—X—	ASPHALT		
—OHP—	FENCE LINE		
—SS—	OVERHEAD POWER LINES		
—SD—	SANITARY SEWER LINE		
—W—	STORM DRAIN LINE		
	WATER MAIN		

0 20 40

SCALE: 1" = 20'

MERIDIAN

CITY OF BELLEVUE HORIZONTAL CONTROL (WASHINGTON STATE PLAN COORDINATE SYSTEM - NORTH ZONE (NAD83/2011) PER CITY OF BELLEVUE CONTROL POINTS 0145 AND 1603).

VERTICAL DATUM

CITY OF BELLEVUE (NAVD 88)

BENCHMARKS

ORIGINAL TBM
SE COR SEC 14, (COB CONTROL PNT H=0145/V=350).
3"X3" CONC MON WITH BRASS NAIL 0.8' BELOW GRADE IN CASE 0.1'N OF CL OF 1
64TH AVE SE.
ELEV. = 700.50'

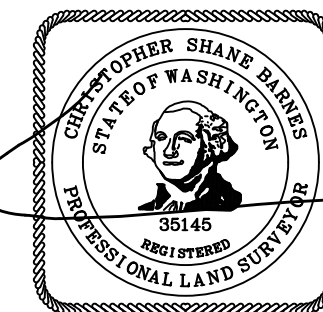
TBM-A
COB CONTROL PNT 1602.
4"X4" CONC MON WITH 1-1/2" BRASS DISC WITH PUNCH 0.7' BELOW GRADE IN CASE
AT CL INTX OF 164TH AVE SE AND SE 47TH ST.
ELEV. = 706.68

NOTES

- A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ALL EQUIPMENT HAS BEEN MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S GUIDELINES. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.
- ALL TITLE INFORMATION SHOWN ON THIS SURVEY WAS EXTRACTED FROM FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NUMBER 3921358, DATED MARCH 18, 2022 MEAD GILMAN AND ASSOCIATES HAS CONDUCTED NO INDEPENDENT TITLE RESEARCH, AND HAS RELIED WHOLLY ON THE TITLE COMPANY'S REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
- THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME. ALL CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT IN OCTOBER 8, 2021, UNLESS OTHERWISE NOTED.
- PROPERTY AREA = 17,795± SQUARE FEET.
- ALL DISTANCES ARE IN FEET.
- UNDERGROUND UTILITIES WERE LOCATED BASED ON SURFACE EVIDENCE CLEARLY VISIBLE TO THE FIELD SURVEY CREW. CONNECTING PIPES ARE DRAWN AS STRAIGHT LINES BETWEEN STRUCTURES. SUPPLEMENTAL INFORMATION HAS BEEN USED TO DEPICT THE UNDERGROUND UTILITIES SHOWN ON THIS SURVEY, SUCH AS PAINT MARKS, SAW CUTS, OR RECORD DRAWING INFORMATION OBTAINED FROM FRANCHISE UTILITIES, PUBLIC UTILITY COMPANIES AND PUBLIC GIS INFORMATION. MEAD GILMAN AND ASSOCIATES DOES NOT WARRANT THE ACCURACY OF UNDERGROUND PIPES, CABLES, STRUCTURES OR OTHER UTILITIES. THE EXACT LOCATION, SIZE, AND ELEVATION OF ALL UNDERGROUND UTILITIES WHICH ARE CRITICAL TO THE DESIGN MUST BE POTHOLED AND VERIFIED BY THE CLIENT.
- TREE SIZES AND SPECIES WERE DETERMINED TO THE BEST OF OUR ABILITY. MEAD GILMAN AND ASSOCIATES DOES NOT WARRANT THE ACCURACY OF THE SIZE AND SPECIES OF ANY TREES SHOWN HEREON, ALL TREE SIZES SHOULD BE VERIFIED BY A TRAINED ARBORIST.

REFERENCES

- KCSP NO. 679092 REC. NO. 7910050868.
- AMENDED PLAT OF WHISPERING CREST, VOL. 94 OF PLATS, PGD 59-61.
- COLLINGWOOD, REC. NO. 7912180577, VOL. 113 OF PLATS, PGS 64-65.
- COLLINGWOOD NO.2, REC. NO. 8112150458, VOL. 120 OF PLATS, PGS 47-48.
- CRITICAL AREAS RECONNAISSANCE MAP - LEGACE GROUP CAPITAL 4703/4327 164TH AVE SE PREPARED BY WETLAND RESOURCES, INC DATED 9/3/2021



MEAD GILMAN
LAND SURVEYORS

P.O. BOX 289, WOODINVILLE, WA 98072
425.486.1252 | WWW.MEADGILMAN.COM

DATE: 2/8/23



City of
Bellevue

PRELIMINARY SHORT PLAT NO. 22- LF

SHEET 2 OF 3

JOB NO. 21181

